

VALERO ENERGY, LTD.
Plaintiff/Garnishor

**CLYDE BERGEMANN US, INC.,
AND CLYDE BERGEMANN POWER
GROUP AMERICAS, LLC, F/K/A CLYDE
BERGEMANN POWER GROUP
AMERICAS, INC.
Defendants/Judgment Debtors**

WELLS FARGO BANK, N.A.
Garnishee

[Related Case No. 4-21-cv-02034]

Within Garnishor's knowledge, the Judgment Debtors do not possess property in Texas

subject to execution that is sufficient to satisfy the Judgment. Garnishor has reason to believe, and does believe, that Wells Fargo Bank, N.A. (“Garnishee”) is holding property, namely funds, which belong to the Judgment Debtors. Garnishor has reason to believe, and does believe, that Garnishee is indebted to the Judgment Debtors by reason of one or more bank accounts in the name of the Judgment Debtors. There is no evidence that any supersedeas bond has been approved and filed.

The Court, therefore, concludes that Garnishor’s Application for Writ of Garnishment (Doc. 1) meets the requirements for a writ of garnishment under Texas law and Federal Rule of Civil Procedure 69.

IT IS, THEREFORE, ORDERED as follows:

1. That Valero Energy, Ltd.’s Application for Writ of Garnishment (Doc. 1) be, and the same hereby is, GRANTED;
2. That the clerk SHALL ISSUE the Writ of Garnishment (Doc. 1-3) that commands Wells Fargo Bank, N.A., which may be served with process by serving it registered agent Corporation Service Company dba CSC – Lawyers Incorporating Service Company at 211 East 7th Street, Suite 620, Austin, Texas 78701, as Garnishee, to appear as required by law and answer under oath what property the Garnishee has of the Judgment Debtors, and where that property was when the writ was served, and what other persons, if any, within Garnishee’s knowledge, have effects of the Judgment Debtors;
3. That the maximum value of property or indebtedness that may be garnished not exceed the amounts awarded in the Judgment; and
4. That upon service of the Writ of Garnishment upon Garnishee, Valero Energy, Ltd. shall serve notice of the garnishment upon Judgment Debtors, pursuant to applicable law.

SIGNED at Houston, Texas on this, the _____ day of January, 2022.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE